

# EXHIBIT A

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FUJITSU MICROELECTRONICS AMERICA, INC.  
11

12 IN THE UNITED STATES DISTRICT COURT  
13 DISTRICT OF GUAM

14 NANYA TECHNOLOGY CORP. and  
15 NANYA TECHNOLOGY CORP. U.S.A

16 Plaintiff,

17 -v-

18 FUJITSU LIMITED, FUJITSU  
19 MICROELECTRONICS AMERICA, INC.,

20 Defendants.

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CIVIL CASE NO. 06-CV-00025

FMA'S RESPONSES AND  
OBJECTIONS TO PLAINTIFF'S  
FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS

21 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant Fujitsu  
22 Microelectronics America, Inc. ("FMA") hereby objects and responds to Plaintiffs' Nanya  
23

1 Technology Corp. and Nanya Technology Corp. U.S.A. First Request For Production of  
2 Documents To Defendant Fujitsu Microelectronics America, Inc. ("Requests").  
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### 4 PRELIMINARY OBJECTION

5 FMA objects to each of the Requests on the grounds that they are premature  
6 because the commencement of discovery has been delayed by the Court and, as of the time of  
7 these objections, Plaintiffs had neither sought nor obtained leave to propound the requested  
8 discovery. On November 20, 2006 FMA moved for a sixty day extension of the dates specified in  
9 the October 12, 2006 Scheduling Notice and/or for a stay of discovery. On December 11, 2006,  
10 the Court granted FMA's motion in part and noted that "Plaintiffs will not be substantially  
11 prejudiced by a short extension of the scheduling conference and commencement of discovery."  
12 (emphasis added). Thus, the Court granted an extension in the commencement in discovery.  
13 FMA objects to Plaintiffs' unilateral violation of the Court's Order.

14 These responses are without waiver of any and all objections to the Requests based  
15 on their improper service before the commencement of discovery. Further, the responses are  
16 based on the best information currently available to FMA. FMA reserves all objections, in this or  
17 any other proceeding, with respect to the relevance, materiality, and admissibility of information  
18 produced pursuant to the Requests for Production following the commencement of discovery.  
19 FMA also reserves the right to assert additional objections should further review of the files or  
20 pre-trial preparation develop new information as to any of the Requests for Production. These  
21 responses are made without waiver of, or prejudice to, any such objection or right. To the extent  
22 FMA responds to Requests for Production to which it also objects, such responses are without  
23 waiver of any such objections.

**GENERAL OBJECTIONS**

These General Objections are incorporated into each response set forth herein.

1. FMA objects to each of the Requests, including all definitions and instructions, to the extent they seek to impose requirements on FMA that are inconsistent with or in addition to the provisions of the Federal Rules of Civil Procedure, or impose obligations beyond the local rules of the United States District Court for Guam.

2. FMA's responses and objections are made to the best of its present knowledge, information, and belief. FMA has not completed its investigation and discovery in this matter; therefore, FMA reserves the right to amend, revise, correct, supplement, or clarify any of the responses and objections herein pursuant to facts or information gathered at any time subsequent to the date of these responses. FMA further reserves the right to make use of, or to introduce at hearing and at trial, documents and things responsive to the Requests discovered subsequent to the date of FMA's production.

3. FMA objects to the Requests, including all definitions and instructions, to the extent that they seek the disclosure of information protected from discovery by the attorney-client privilege, the work product doctrine, common interest privilege, joint prosecution privilege, the trade secret or proprietary information privilege, or any other applicable privilege or immunity, or invade the privacy rights of any person. FMA will not knowingly disclose any information that is subject to such privilege or protection. In connection with the Requests, FMA does not intend to waive, and shall not be construed as having waived, any such privilege or protection. Any inadvertent production or disclosure thereof shall not be deemed a waiver of any such privilege or protection in whole or in part. FMA reserves its rights to recall any such document.

1           4.     FMA objects to the Requests to the extent they call for the production of  
2 information for which disclosure is prohibited by any domestic or judicial order, protective order,  
3 stipulation of confidentiality, non-disclosure agreement, or confidentiality agreement with any  
4 non-party restricting the disclosure of such information by FMA. FMA does not intend to  
5 produce any documents that are subject to any protection or privilege.

6           5.     FMA objects to the Requests to the extent that they are vague and ambiguous, fail  
7 to identify with the necessary specificity the information or document sought, and would require  
8 FMA to speculate as to the nature and/or scope of the documents and things sought thereby.

9           6.     FMA objects to these Requests to the extent that they are overly broad, unduly  
10 burdensome, seeking information not relevant to any issue in this lawsuit and not reasonably  
11 calculated to lead to the discovery of admissible evidence.

12           7.     FMA objects to the Requests to the extent they seek information or documents  
13 other than that which may be obtained through a reasonably diligent search of its records. In  
14 responding to the Requests, FMA has made or will conduct a reasonable inquiry and search of  
15 materials within its possession, custody or control in those places where information responsive  
16 to the Requests are most likely to be found. To the extent that Plaintiffs seek to require FMA to  
17 undertake any action beyond that described above, FMA objects to the Requests as unduly  
18 burdensome, oppressive, not reasonably calculated to lead to the discovery of admissible  
19 evidence, and harassing and seeking information not within the possession, custody or control of  
20 FMA.

21           8.     FMA objects to the Requests to the extent they are duplicative, unreasonably  
22 cumulative, harassing and responding thereto will cause unnecessary expense.

10. FMA objects to the Requests as unduly burdensome to the extent that they seek to impose on FMA the obligation to locate documents that are not in the control of FMA or FMA's personnel. FMA will undertake only to produce documents that are reasonably within FMA's knowledge and control.

12. FMA objects to the Requests to the extent they fail to specify a reasonable or relevant time period for the information and/or documents sought. Subject to agreement of all parties, FMA will not produce documents generated after the date of the Complaint in this action.

14. FMA objects to the Requests to the extent they seek information that is subject to confidentiality obligations with any non-party restricting the disclosure of such information by FMA.

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1 information in the possession, custody or control of any third party, including any agent, outside  
2 attorney or affiliate of FMA on the grounds that production of such documents is unduly  
3 burdensome and not calculated to lead to the discovery of admissible evidence.

4 16. FMA objects to the Requests to the extent they seek production of documents that  
5 are already in Plaintiffs' possession, custody or control, that are publicly available, that are  
6 equally available to Plaintiffs or from other parties to the litigation, or that are duplicative of  
7 documents already produced in the litigation.

8 17. FMA objects to the Requests to the extent they seek information that is  
9 inaccessible.

10 18. FMA objects to providing information demanded by the Requests that is  
11 confidential, including sensitive, business, financial, proprietary, competitive, personal, customer,  
12 or client information of FMA. FMA will not produce any such information until the Court has  
13 entered a suitable Protective Order. Any statement in the responses to individual Requests below  
14 that indicates that documents will be produced is subject to the entry of a suitable Protective  
15 Order.

16 19. Although FMA will make a reasonable and good faith effort to respond to these  
17 Requests after the commencement of discovery, further information may be discovered that might  
18 be responsive to these Requests. Accordingly, without assuming any obligation other than as  
19 may be imposed by law, FMA will promptly produce the responsive documents to those Requests  
20 that FMA does not object to as identified below, will continue to search for further responsive  
21 documents to those Requests that FMA does not object to, and reserves the right to revise,  
22  
23

1 supplement, correct, or amend these responses based upon information, evidence, documents,  
2 facts, and things that hereafter may be discovered.

3 20. FMA objects to the definition of Defendant to the extent it includes or attempts to  
4 include parties or entities other than the specific parties and entities named as Defendants in this  
5 action.

6 21. FMA objects to the Requests to the extent that they require FMA to form legal  
7 conclusions in order to respond.

8 22. FMA makes no admission of any nature, and no admission may be implied by, or  
9 inferred from, these objections and responses.

10 23. To the extent FMA responds to any of the Requests, it does not concede that the  
11 information or document requested is relevant to this action, nor does it waive or intend to waive  
12 any objection to the competency, relevancy, or admissibility as evidence of any document or  
13 information provided, referred to, or made the subject of any response. FMA expressly reserves  
14 the right to object to further discovery of the subject matter of any Request and the introduction  
15 into evidence of any provided document or information. A partial response to any Request that  
16 has been objected to, in whole or in part, is not intended to be a waiver of the objection. By  
17 making these objections and responses, FMA does not concede that it is in possession of any  
18 information or documents responsive to the Requests or that any documents or information  
19 requested or provided is relevant to this litigation.

20 24. To the extent that FMA does not object to a Request and agrees to produce  
21 documents in response to a Request, that agreement is not a representation that any such  
22 documents actually exist, only that if such documents exist, then FMA will produce them.



25. Each of the foregoing General Objections is hereby incorporated by reference into each of the following specific responses to Propounding Party's specific Requests.

**SPECIFIC RESPONSES AND OBJECTIONS TO REQUESTS FOR PRODUCTION**

Without waiving and subject to its General Objections, which are incorporated into each response below, FMA responds to each specific Request as follows:

**REQUEST NO. 1:** Documents listing each and every camera manufacturer that has purchased an FMA dynamic memory chip for use or incorporation in one of its products within the last six years.

**RESPONSE TO REQUEST NO. 1:** In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and unduly burdensome such as calling for the production of documents listing each and every camera manufacturer; (c) it is vague and ambiguous, in particular as to the identities of "camera manufacturer[s]" and their "products"; and (d) it calls for information not within the possession or control of FMA.

**REQUEST NO. 2:** Documents listing each and every camera that has used or incorporated an FMA dynamic memory chip within the last six years.

**RESPONSE TO REQUEST NO. 2:** In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and unduly burdensome such as calling for the production of documents "listing each and every camera"; (c) it is vague and ambiguous, in particular as to what constitutes a camera and what

1 constitutes "used or incorporated"; (d) it seeks information equally available to Plaintiffs; and (e)  
2 it calls for information not within the possession or control of FMA.

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4 **REQUEST NO. 3:** Documents listing each and every contract entered into within the last six  
5 years between FMA and a camera manufacturer involving an FMA dynamic memory chip.

6 **RESPONSE TO REQUEST NO. 3:** In addition to its General Objections, FMA objects to  
7 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
8 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
9 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
10 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
11 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
12 the meaning of what constitutes a "contract" and the identities of "camera manufacturer[s]".

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14 **REQUEST NO. 4:** Documents listing each and every request made within the last six years by  
15 a camera manufacturer for proposals from FMA to develop, manufacture, distribute, or otherwise  
16 produce an FMA dynamic memory chip.

17 **RESPONSE TO REQUEST NO. 4:** In addition to its General Objections, FMA objects to  
18 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
19 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
20 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
21 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
22 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
23 identities of "camera manufacturer[s]" and the meaning of what constitutes a "request... for  
24 proposal[]"; and (e) it calls for information not within the possession or control of FMA.

1 **REQUEST NO. 5:** Documents listing each and every proposal made within the last six years  
2 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a camera manufacturer.

3 **RESPONSE TO REQUEST NO. 5:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
8 “listing each and every proposal”; and (d) it is vague and ambiguous, in particular as to the  
9 identities of “camera manufacturer[s]” and the meaning of what constitutes a “proposal”.

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11 **REQUEST NO. 6:** Documents listing each and every mobile phone manufacturer that has  
12 purchased an FMA dynamic memory chip for use or incorporation in one of its products within  
the last six years.

13 **RESPONSE TO REQUEST NO. 6:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
16 unduly burdensome such as calling for the production of documents listing each and every mobile  
17 phone manufacturer; (c) it is vague and ambiguous, in particular as to the identities of “mobile  
18 phone manufacturer[s]” and their “products”; and (d) it calls for information not within the  
19 possession or control of FMA.

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1 **REQUEST NO. 7:** Documents listing each and every mobile phone that has used or  
2 incorporated an FMA dynamic memory chip within the last six years.

3 **RESPONSE TO REQUEST NO. 7:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents "listing each and every  
7 mobile phone"; (c) it is vague and ambiguous, in particular as to what constitutes a mobile phone  
8 and what constitutes "used or incorporated"; (d) it seeks information equally available to  
9 Plaintiffs; and (e) it calls for information not within the possession or control of FMA.

10 **REQUEST NO. 8:** Documents listing each and every contract entered into within the last six  
11 years between FMA and a mobile phone manufacturer involving an FMA dynamic memory chip.

12 **RESPONSE TO REQUEST NO. 8:** In addition to its General Objections, FMA objects to  
13 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
14 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
15 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
16 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
17 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
18 the meaning of what constitutes a "contract" and the identities of "mobile phone  
19 manufacturer[s]".

1 **REQUEST NO. 9:** Documents listing each and every request made within the last six years by  
2 a mobile phone manufacturer for proposals from FMA to develop, manufacture, distribute, or  
otherwise produce an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 9:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
9 identities of "mobile phone manufacturer[s]" and the meaning of what constitutes a "request...  
10 for proposal[]"; and (e) it calls for information not within the possession or control of FMA.

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12 **REQUEST NO. 10:** Documents listing each and every proposal made within the last six years  
13 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a mobile phone manufacturer.

14 **RESPONSE TO REQUEST NO. 10:** In addition to its General Objections, FMA objects to  
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
19 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the  
20 identities of "mobile phone manufacturer[s]" and the meaning of what constitutes a "proposal".

1 **REQUEST NO. 11:** Documents listing each and every Personal Digital Assistant ("PDA")  
2 manufacturer that has purchased an FMA dynamic memory chip for use or incorporation in one  
of its products within the last six years.

3 **RESPONSE TO REQUEST NO. 11:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents listing each and every  
7 Personal Digital Assistant ("PDA") manufacturer; (c) it is vague and ambiguous, in particular as  
8 to the identities of PDA manufacturers and their "products"; and (d) it calls for information not  
9 within the possession or control of FMA.

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11 **REQUEST NO. 12:** Documents listing each and every PDA that has used or incorporated an  
12 FMA dynamic memory chip within the last six years.

13 **RESPONSE TO REQUEST NO. 12:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
16 unduly burdensome such as calling for the production of documents "listing each and every  
17 PDA"; (c) it is vague and ambiguous, in particular as to what constitutes a PDA and what  
18 constitutes "used or incorporated"; (d) it seeks information equally available to Plaintiffs; and (e)  
19 it calls for information not within the possession or control of FMA.

1 **REQUEST NO. 13:** Documents listing each and every contract entered into within the last six  
2 years between FMA and a PDA manufacturer involving an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 13:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
6 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
9 the meaning of what constitutes a "contract" and the identities of "PDA manufacturer[s]".

10 **REQUEST NO. 14:** Documents listing each and every request made within the last six years by  
11 a PDA manufacturer for proposals from FMA to develop, manufacture, distribute, or otherwise  
12 produce an FMA dynamic memory chip.

13 **RESPONSE TO REQUEST NO. 14:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
16 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
17 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
18 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
19 identities of "PDA manufacturer[s]" and the meaning of what constitutes a "request... for  
20 proposal[]"; and (e) it calls for information not within the possession or control of FMA.

1 **REQUEST NO. 15:** Documents listing each and every proposal made within the last six years  
2 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a PDA manufacturer.

3 **RESPONSE TO REQUEST NO. 15:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
8 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the  
9 identities of "PDA manufacturer[s]" and the meaning of what constitutes a "proposal".

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11 **REQUEST NO. 16:** Documents listing each and every personal computer manufacturer that has  
12 purchased an FMA dynamic memory chip for use or incorporation in one of its products within  
the last six years.

13 **RESPONSE TO REQUEST NO. 16:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
16 unduly burdensome such as calling for the production of documents listing "each and every  
17 personal computer manufacturer"; (c) it is vague and ambiguous, in particular as to the identities  
18 of "personal computer manufacturer[s]" and their "products"; and (d) it calls for information not  
19 within the possession or control of FMA.

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1 **REQUEST NO. 17:** Documents listing each and every personal computer that has used or  
2 incorporated an FMA dynamic memory chip within the last six years.

3 **RESPONSE TO REQUEST NO. 17:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents "listing each and every  
7 personal computer"; (c) it is vague and ambiguous, in particular as to what constitutes a personal  
8 computer and what constitutes "used or incorporated"; (d) it seeks information equally available  
9 to Plaintiffs; and (e) it calls for information not within the possession or control of FMA.

10 **REQUEST NO. 18:** Documents listing each and every contract entered into within the last six  
11 years between FMA and a personal computer manufacturer involving an FMA dynamic memory  
12 chip.

13 **RESPONSE TO REQUEST NO. 18:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
16 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
17 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
18 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
19 the meaning of what constitutes a "contract" and the identities of "personal computer  
20 manufacturer[s]".

1 **REQUEST NO. 19:** Documents listing each and every request made within the last six years by  
2 a personal computer manufacturer for proposals from FMA to develop, manufacture, distribute,  
or otherwise produce an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 19:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
9 identities of "personal computer manufacturer[s]" and the meaning of what constitutes a  
10 "request... for proposal[]"; and (e) it calls for information not within the possession or control of  
11 FMA.

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13 **REQUEST NO. 20:** Documents listing each and every proposal made within the last six years  
14 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a personal computer manufacturer.

15 **RESPONSE TO REQUEST NO. 20:** In addition to its General Objections, FMA objects to  
16 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
17 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
18 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
19 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
20 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the  
21 identities of "personal computer manufacturer[s]" and the meaning of what constitutes a  
22 "proposal".

1 **REQUEST NO. 21:** Documents listing each and every notebook computer manufacturer that  
2 has purchased an FMA dynamic memory chip for use or incorporation in one of its products  
within the last six years.

3 **RESPONSE TO REQUEST NO. 21:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents listing "each and every  
7 notebook computer manufacturer"; (c) it is vague and ambiguous, in particular as to the identities  
8 of "notebook computer manufacturer[s]" and their "products"; and (d) it calls for information not  
9 within the possession or control of FMA.

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11 **REQUEST NO. 22:** Documents listing each and every notebook computer that has used or  
12 incorporated an FMA dynamic memory chip within the last six years.

13 **RESPONSE TO REQUEST NO. 22:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
16 unduly burdensome such as calling for the production of documents "listing each and every  
17 notebook computer"; (c) it is vague and ambiguous, in particular as to what constitutes a  
18 notebook computer and what constitutes "used or incorporated"; (d) it seeks information equally  
19 available to Plaintiffs; and (e) it calls for information not within the possession or control of  
20 FMA.

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1 **REQUEST NO. 23:** Documents listing each and every contract entered into within the last six  
2 years between FMA and a notebook computer manufacturer involving an FMA dynamic memory  
chip.

3 **RESPONSE TO REQUEST NO. 23:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
6 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
9 the meaning of what constitutes a "contract" and the identities of "notebook computer  
10 manufacturer[s]".

11  
12 **REQUEST NO. 24:** Documents listing each and every request made within the last six years by  
13 a notebook computer manufacturer for proposals from FMA to develop, manufacture, distribute,  
or otherwise produce an FMA dynamic memory chip.

14 **RESPONSE TO REQUEST NO. 24:** In addition to its General Objections, FMA objects to  
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
19 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
20 identities of "notebook computer manufacturer[s]" and the meaning of what constitutes a  
21 "request... for proposal[]"; and (e) it calls for information not within the possession or control of  
22 FMA.

1 **REQUEST NO. 25:** Documents listing each and every proposal made within the last six years  
2 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a notebook computer manufacturer.

3 **RESPONSE TO REQUEST NO. 25:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
8 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the  
9 identities of "notebook computer manufacturer[s]" and the meaning of what constitutes a  
10 "proposal".

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12 **REQUEST NO. 26:** Documents listing each and every television manufacturer that has  
13 purchased an FMA dynamic memory chip for use or incorporation in one of its products within  
the last six years.

14 **RESPONSE TO REQUEST NO. 26:** In addition to its General Objections, FMA objects to  
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
17 unduly burdensome such as calling for the production of documents listing "each and every  
18 television manufacturer"; (c) it is vague and ambiguous, in particular as to the identities of  
19 "television manufacturer[s]" and their "products"; and (d) it calls for information not within the  
20 possession or control of FMA.

1 **REQUEST NO. 27:** Documents listing each and every television that has used or incorporated  
2 an FMA dynamic memory chip within the last six years.

3 **RESPONSE TO REQUEST NO. 27:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents "listing each and every  
7 television"; (c) it is vague and ambiguous, in particular as to what constitutes a television and  
8 what constitutes "used or incorporated"; (d) it seeks information equally available to Plaintiffs;  
9 and (e) it calls for information not within the possession or control of FMA.

10 **REQUEST NO. 28:** Documents listing each and every contract entered into within the last six  
11 years between FMA and a television manufacturer involving an FMA dynamic memory chip.

12 **RESPONSE TO REQUEST NO. 28:** In addition to its General Objections, FMA objects to  
13 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
14 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
15 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
16 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
17 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
18 the meaning of what constitutes a "contract" and the identities of "television manufacturer[s]".

1 **REQUEST NO. 29:** Documents listing each and every request made within the last six years by  
2 a television manufacturer for proposals from FMA to develop, manufacture, distribute, or  
otherwise produce an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 29:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
9 identities of "television manufacturer[s]" and the meaning of what constitutes a "request... for  
10 proposal[]"; and (e) it calls for information not within the possession or control of FMA.

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12 **REQUEST NO. 30:** Documents listing each and every proposal made within the last six years  
13 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a television manufacturer.

14 **RESPONSE TO REQUEST NO. 30:** In addition to its General Objections, FMA objects to  
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
19 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the  
20 identities of "television manufacturer[s]" and the meaning of what constitutes a "proposal".

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1 **REQUEST NO. 31:** Documents listing each and every DVD player manufacturer that has  
2 purchased an FMA dynamic memory chip for use or incorporation in one of its products within  
the last six years.

3 **RESPONSE TO REQUEST NO. 31:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents listing each and every "DVD  
7 player manufacturer"; (c) it is vague and ambiguous, in particular as to the identities of "DVD  
8 player manufacturer[s]" and their "products"; and (d) it calls for information not within the  
9 possession or control of FMA.

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11 **REQUEST NO. 32:** Documents listing each and every DVD player that has used or  
12 incorporated an FMA dynamic memory chip within the last six years.

13 **RESPONSE TO REQUEST NO. 32:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
16 unduly burdensome such as calling for the production of documents "listing each and every DVD  
17 player"; (c) it is vague and ambiguous, in particular as to what constitutes a "DVD player" and  
18 what constitutes "used or incorporated"; (d) it seeks information equally available to Plaintiffs;  
19 and (e) it calls for information not within the possession or control of FMA.

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1 **REQUEST NO. 33:** Documents listing each and every contract entered into within the last six  
2 years between FMA and a DVD player manufacturer involving an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 33:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
6 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
9 the meaning of what constitutes a "contract" and the identities of "DVD player manufacturer[s]".

10 **REQUEST NO. 34:** Documents listing each and every request made within the last six years by  
11 a DVD player manufacturer for proposals from FMA to develop, manufacture, distribute, or  
12 otherwise produce an FMA dynamic memory chip.

13 **RESPONSE TO REQUEST NO. 34:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
16 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
17 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
18 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
19 identities of "DVD player manufacturer[s]" and the meaning of what constitutes a "request... for  
20 proposal[]"; and (e) it calls for information not within the possession or control of FMA.

1 **REQUEST NO. 35:** Documents listing each and every proposal made within the last six years  
2 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a DVD player manufacturer.

3 **RESPONSE TO REQUEST NO. 35:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
8 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the  
9 identities of "DVD player manufacturer[s]" and the meaning of what constitutes a "proposal".  
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11 **REQUEST NO. 36:** Documents listing each and every car stereo manufacturer that has  
12 purchased an FMA dynamic memory chip for use or incorporation in one of its products within  
the last six years.

13 **RESPONSE TO REQUEST NO. 36:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
16 unduly burdensome such as calling for the production of documents listing "each and every car  
17 stereo manufacturer"; (c) it is vague and ambiguous, in particular as to the identities of "car stereo  
18 manufacturer[s]" and their "products"; and (d) it calls for information not within the possession or  
19 control of FMA.  
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1 **REQUEST NO. 37:** Documents listing each and every car stereo that has used or incorporated  
2 an FMA dynamic memory chip within the last six years.

3 **RESPONSE TO REQUEST NO. 37:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents "listing each and every car  
7 stereo"; (c) it is vague and ambiguous, in particular as to what constitutes "used or incorporated";  
8 (d) it seeks information equally available to Plaintiffs; and (e) it calls for information not within  
9 the possession or control of FMA.

10 **REQUEST NO. 38:** Documents listing each and every contract entered into within the last six  
11 years between FMA and a car stereo manufacturer involving an FMA dynamic memory chip.

12 **RESPONSE TO REQUEST NO. 38:** In addition to its General Objections, FMA objects to  
13 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
14 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
15 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
16 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
17 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
18 the meaning of what constitutes a "contract" and the identities of "car stereo manufacturer[s]".

1 **REQUEST NO. 39:** Documents listing each and every request made within the last six years by  
2 a car stereo manufacturer for proposals from FMA to develop, manufacture, distribute, or  
otherwise produce an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 39:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
9 identities of "car stereo manufacturer[s]" and the meaning of what constitutes a "request... for  
10 proposal[]"; and (e) it calls for information not within the possession or control of FMA.

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12 **REQUEST NO. 40:** Documents listing each and every proposal made within the last six years  
13 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory  
chip for a car stereo manufacturer.

14 **RESPONSE TO REQUEST NO. 40:** In addition to its General Objections, FMA objects to  
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents  
19 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the  
20 identities of "car stereo manufacturer[s]" and the meaning of what constitutes a "proposal".

1 **REQUEST NO. 41:** Documents listing each and every automobile manufacturer that has  
2 purchased an FMA dynamic memory chip for use or incorporation in one of its products within  
the last six years.

3 **RESPONSE TO REQUEST NO. 41:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
6 unduly burdensome such as calling for the production of documents listing each and every  
7 “automobile manufacturer”; (c) it is vague and ambiguous, in particular as to the identities of  
8 “automobile manufacturer[s]” and their “products”; and (d) it calls for information not within the  
9 possession or control of FMA.

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11 **REQUEST NO. 42:** Documents listing each and every automobile that has used or incorporated  
12 an FMA dynamic memory chip within the last six years.

13 **RESPONSE TO REQUEST NO. 42:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and  
16 unduly burdensome such as calling for the production of documents “listing each and every  
17 automobile”; (c) it is vague and ambiguous, in particular as to what constitutes “used or  
18 incorporated”; (d) it seeks information equally available to Plaintiffs; and (e) it calls for  
19 information not within the possession or control of FMA.

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1 **REQUEST NO. 43:** Documents listing each and every contract entered into within the last six  
2 years between FMA and an automobile manufacturer involving an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 43:** In addition to its General Objections, FMA objects to  
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential  
6 and/or proprietary information not reasonably calculated to lead to the discovery of admissible  
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
8 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to  
9 the meaning of what constitutes a "contract" and the identities of "automobile manufacturer[s]".

10 **REQUEST NO. 44:** Documents listing each and every request made within the last six years by  
11 an automobile manufacturer for proposals from FMA to develop, manufacture, distribute, or  
12 otherwise produce an FMA dynamic memory chip.

13 **RESPONSE TO REQUEST NO. 44:** In addition to its General Objections, FMA objects to  
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action  
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary  
16 and/or confidential information not reasonably calculated to lead to the discovery of admissible  
17 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of  
18 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the  
19 identities of "automobile manufacturer[s]" and the meaning of what constitutes a "request... for  
20 proposal[]"; and (e) it calls for information not within the possession or control of FMA.